

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA

Alexandria Division

KAYLA AZPEITIA, *on behalf of herself and
all others similarly situated*,
Plaintiff,

v.

Civil No. 1:23cv1742 (DJN)

EMPLOYMENT ADVOCATES GROUP
LLC,
Defendant.

ORDER
(Approving FLSA Settlement)

This matter comes before the Court on the parties' Joint Motion for Approval of Settlement Agreement and Dismissal with Prejudice. (ECF No. 6 ("Joint Mot.")). The parties request judicial approval of their final settlement agreement, which they attached to the accompanying motion. (ECF No. 6-1.) *See Lynn's Food Stores, Inc. v. United States ex rel. U.S. Dep't of Labor*, 679 F.3d 1350, 1355 (11th Cir. 1982) (settlement of "FLSA back wage or liquidated damage claims may be allowed" only if a court finds the settlement to be "a fair and reasonable resolution of a bona fide dispute over FLSA provisions.") The proposed settlement awards \$13,000 in total, with \$6,500 going directly to Plaintiff and \$6,500 payable to her attorneys as fees and costs. (*Id.* at ¶ 1(c).) The parties' Joint Motion also requests dismissal of this action with prejudice, while retaining jurisdiction to enforce the parties' settlement agreement. (Joint Mot. at 1.) On May 10, 2024, the Court conducted a settlement approval hearing.

For the reasons stated on the record during the approval hearing, the Court FINDS the parties' settlement to be fair and reasonable. The Court therefore GRANTS the parties' Joint

Motion (ECF No. 6) and APPROVES the final settlement agreement (ECF No. 6-1).

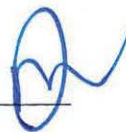
Accordingly, the Court hereby DISMISSES this action with prejudice pursuant to Fed. R. Civ. P. 41(a)(2) and DIRECTS the Clerk's Office to close the case. Because Rule 41(a)(2) allows the Court to condition dismissal "on terms that the [C]ourt considers proper," the Court ORDERS that "the parties' compliance with the terms of the settlement contract . . . be one of the terms set forth in the order" and thereby RETAINS JURISDICTION over the agreement's enforcement.

Kokkonen v. Guardian Life Ins. Co. of Am., 511 U.S. 375, 381 (1994).

This case is now CLOSED.

Let the Clerk file a copy of this Order electronically and notify all counsel of record.

It is so ORDERED.


_____/s/_____
David J. Novak
United States District Judge

Alexandria, Virginia
Date: May 10, 2024